

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 3:18CR00011-001

Date: 6/28/2019

Defendant: James Alex Fields, Jr. (CUSTODY)

Counsel: Lisa Lorish, Denise Lunsford, Fred Heblich

PRESENT: JUDGE: Michael F. Urbanski, USDJ TIME IN COURT: 9:10-
11:00=1hr 50 min; 11:25-1:15= 1hr 50 min; 1:30-3:30= 1 hr. 4 hrs. 40 min.
Deputy Clerk: Heidi N. Wheeler
Court Reporter: Mary Butenschoen
U. S. Attorney: Thomas Cullen, Chris Kavanaugh, Risa Berkower
USPO: Sami Cilek; Larry Breckenridge
Case Agent: Phil Alhusen, FBI
Interpreter:

LIST OF WITNESSES

GOVERNMENT:

1. Phillip W. Alhusen
2. Wade Douthit
- 3.
- 4.

DEFENDANT:

- 1.
- 2.
- 3.
- 4.

PROCEEDINGS:

- ☒ No Objections to Presentence Report As to Guideline Calculations.
- ☒ Court inquires as to Objection(s) to Presentence Report made by ☒ USA ☐ Deft.
☐ Court overrules Objection(s). ☒ Court grants Objection(s) Regarding how defendant moved his car.
- ☒ Government presents evidence.
- ☒ Court adopts Presentence Report, with the one modification mentioned.
- ☒ Court accepts Plea Agreement.
- ☒ Defendant Motion for Downward Departure/Variance
☐ Court grants. ☒ Court denies.
- ☒ Allocutions by defendant.

SENTENCE IMPOSED AS FOLLOWS:

CBOP: Life without the possibility of release as to Ct 1; Life without the possibility of release as to Cts-2-29 said terms to run concurrently to each other but consecutively to the term imposed in Ct. 1. This sentence shall run concurrent to any anticipated state court sentence.

SR: NONE IMPOSED

SA: \$2,900.00 due immediately.

FINE: \$2,900.00 (\$100.00 per count)

REST: Deferred for 90 days

PAYMENT SCHEDULE:

- ☒ A lump sum payment of \$5,800.00 is due immediately, and during the term of imprisonment, payment in equal monthly installments of \$25.00 or 50% of the defendant's income, whichever is greater, to commence 60 days after the date of this judgment.

ADDITIONAL RULINGS:

- ☒ Count(s) 30 dismissed on Government Motion.
- ☒ Defendant advised of right to appeal.
- ☒ Defendant remanded to custody.

Additional Information:

Motion to Seal portions of Sentencing Memorandum addressed first. Granted in part/denied in part. Counsel to file redacted Sentencing Memorandum following this hearing.

Break.

11:25- Government closes Evidence.

Victim Impact Statements Read into the record and made from the lectern (21 total). Concluded at 1:15 pm
Break

Issue of restitution addressed.

Government states that some victims need more time to assemble restitution figures and are seeking more time. Defense has no objection. The Court will grant motion to defer restitution for 90 days.

Argument by Mr. Cullen.

Ms. Lorish argues for defense.